

1 required for any construction, installation, repair, replacement, or alteration costing five
2 thousand dollars (\$5,000) or less in any single-family residence or farm building unless
3 the work involves: the addition, repair or replacement of load bearing structures; the
4 addition (excluding replacement of same size and capacity) or change in the design of
5 plumbing; the addition, replacement or change in the design of heating, air conditioning,
6 or electrical wiring, devices, appliances, or equipment; the use of materials not permitted
7 by the North Carolina Uniform Residential Building Code; or the addition (excluding
8 replacement of like grade of fire resistance) of roofing. Violation of this section
9 constitutes a Class 1 misdemeanor.

10 (b) No permit shall be issued pursuant to subsection (a) of this section for any
11 land-disturbing activity, as defined in G.S. 113A-52(6), for any activity covered by
12 G.S. 113A-57, unless an erosion and sedimentation control plan has been approved by the
13 Sedimentation Pollution Control Commission pursuant to G.S. 113A-54(d)(4) or by a
14 local government pursuant to G.S. 113A-61 for the site of the activity or a tract of land
15 including the site of the activity.

16 (c) When a railroad company has filed railroad corridor maps pursuant to
17 G.S. 136-199, then the following provisions shall apply. To preserve and protect railroad
18 corridors for safety and future use and recognizing the right of the railroad to use its
19 corridors at any time in the future, no permit shall be issued pursuant to subsection (a) of
20 this section for activity within a railroad corridor before the inspection department with
21 jurisdiction over the site of the work or activity has verified that written consent has been
22 obtained from the railroad company as required by this subsection. The provisions of this
23 subsection shall not apply to permits issued under subsection (a) of this section solely for
24 repairs of existing buildings, plumbing systems, heating or cooling equipment systems, or
25 electrical wiring, devices or appliances and equipment.

26 (1) For those permit applications for work or activity within a railroad
27 corridor, the inspection department with jurisdiction over the site of
28 the work or activity shall require as a condition of granting a permit
29 that the permit applicant obtain the written consent of the railroad
30 company by contacting the railroad company, by certified mail, return
31 receipt requested, through its current registered agent at the address on
32 file with the North Carolina Department of Secretary of State.

33 (2) The railroad company shall have 60 days from receipt of the request
34 for written consent made under this subsection to approve, deny with
35 an explanation or respond with its requirements. Failure to respond to
36 the request for written consent within 60 days shall be deemed to be
37 approval of the request for written consent by the railroad company
38 unless the railroad owns the railroad corridor in fee simple. Nothing
39 herein shall be construed to alter or affect the property rights of the
40 railroad or adjacent or underlying landowners.

41 (3) A railroad company is a party aggrieved for the purpose of appealing
42 any permitting decision by the inspection department with jurisdiction
43 over the site of the work or activity that is inconsistent with the
44 railroad company's property rights or its right to use the property for
45 railroad purposes.